

# Attorney Docket No. 023829-0260 (Cargill Reference No. CGL01/0472US1)

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Murphy et al.

Title:

TRIACYLGLYCEROL-

**BASED ALTERNATIVE TO** 

PARAFFIN WAX

Application No.:

10/655,945

Filing Date:

09/05/2003

Examiner:

Toomer, Cephia D.

Art Unit:

1714

Mail Stop **AMENDMENT** Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

# CERTIFICATE OF EXPRESS MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. EV 625664767 US April 13, 2006 (Express Mail Label Number) (Date of Deposit) Deborah A. Kocorowski (Printed Name) (Signature)

# INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.56

Submitted herewith on Form PTO/SB/08 is a listing of documents known to the Applicants in order to comply with the Applicants' duty of disclosure pursuant to 37 C.F.R. § 1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 C.F.R. § 1.97 and § 1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 C.F.R. § 1.56(b). The Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

## TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 C.F.R. § 1.97(b), before the mailing date of the first Office Action on the merits.

# RELEVANCE OF EACH DOCUMENT

All of the documents are in English.

The Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with M.P.E.P. § 609.

Although the Applicants believe that no fee is required for this Request, the Commissioner is hereby authorized to charge any additional fees which may be required for this Request to Deposit Account No. 06-1447.

Respectfully submitted,

Date

FOLEY & LARDNER LLP 777 East Wisconsin Avenue

Milwaukee, Wisconsin 53202-5306

Telephone:

(414) 297-5842

Facsimile: (

(414) 297-4900

Charles G. Carter

Attorney for the Applicants Registration No. 35,093

MODIFIED PTO/SB/08 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO Complete if Known INFORMATION DISCLOSURE 10/655,945 **Application Number** STATEMENT BY APPLICANT Filing Date 09/05/2003 First Named Inventor Timothy A. Murphy Date Submitted: April 13, 2006 **Group Art Unit** 1714 (use as many sheets as necessary) **Examiner Name** Toomer, Cephia D. Sheet of Attorney Docket Number 023829-0260 1

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document			Date of Publication of	Pages, Columns, Lines, Where Relevant
		Number	Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear
	A1	2003/0176300	A1	Kodali et al.	09-18-2003	
	A2	2002/0157303	A1	Murphy et al.	10-31-2002	
·	A3	2002/0144455	A1	Bertrand et al.	10-10-2002	
	A4	6,852,140	B1	Roeske	02-08-2005	
	A5	6,582,748	B1	Loh et al.	06-24-2003	
	A6	6,201,053	B1	Dieckmann et al.	03-13-2001	
	A7	6,127,326		Dieckmann et al.	10-03-2000	
•	A8	6,103,308		Floyd et al.	08-15-2000	
	A9	6,001,286		Sleeter	12-14-1999	
	A10	5,700,516		Sandvick et al.	12-23-1997	
	A11	5,660,865		Pedersen et al.	08-26-1997	
	A12	2,784,891		Thielke	03-12-1957	
						***************************************

U.S. PATENT APPLICATION DOCUMENTS							
Examiner Initials*	Cite No.1	U.S. Patent Ap		Name of Patentee or Applicant of Cited Document	Filing Date of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
		Serial Number	Kind Code <sup>2</sup> (if known)				

	FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Pate Office <sup>3</sup> Number		Document Kind Code <sup>5</sup> (if known)	Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>	
	A13	WO	96/00815	A1	Ong et al.	01-11-1996			
							<u> </u>		

Examiner Signature	Date Considered	

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). \*For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

\*Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. \*Applicant is to place a check mark here if English language Translation is attached.

MODIFIED PTO/SB/08 (08-00) Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control

Substitute for form 1449B/PTO Complete if Known **Application Number** 10/655,945 INFORMATION DISCLOSURE STATEMENT BY APPLICANT 09/05/2003 Filing Date Timothy A. Murphy **First Named Inventor** Date Submitted: April 13, 2006 Group Art Unit 1714 (use as many sheets as necessary) **Examiner Name** Toomer, Cephia D. Sheet Attorney Docket Number 023829-0260 2

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
	A14	OLIEFABRIK et al., "Paper coating", Research Disclosure Journal, December 1996 (2 pgs.)	
	A15	Abstract of EP 536861 A1, "Wrapping paper for fatty foodstuffs of good biodegradability – having surface treated with hydrogenated animal or vegetable fat", <u>Derwent World Patents Index</u> , available at <a href="http://toolkit.dialog.com/intranet/cgi/present">http://toolkit.dialog.com/intranet/cgi/present</a> , Publication Date 04-14-1993 (2 pgs.).	
	A16	Japanese Abstract of JP 56032550 A, "Coating compsn. for paper bags protecting fruit on trees – comprises hydrogenated oil and/or solid natural fat with was, e.g. paraffin", <u>Derwent World Patents Index</u> , available at http://www.dialogclassic.com/main.vmgw, Publication Date 04-02-1981 (1 pg.).	
	A17	European Abstract of EP 811664 A1, "Coating compositions for e.g. foodstuffs – contg mono and di glyceride(s) and colophony ester(s)", <u>Derwent World Patents Index</u> , available at <a href="http://toolkit.dialog.com/intranet/cgi/present">http://toolkit.dialog.com/intranet/cgi/present</a> , Publication Date 12-10-1997 (1 pg.).	

Firemines	
Examiner Date	
Signature Considered	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.